

REMARKS

This Amendment is responsive to the Office Action dated December 31, 2003. Claims 1-14 were pending in the application. In the Office Action, claims 1-14 were rejected, and claim 1 was objected to. In this Amendment, claims 1 and 9-14 have been amended. Claims 1-14 thus remain for consideration.

Applicant submits that claims 1-14 are in condition for allowance and requests reconsideration and withdrawal of the rejections in light of the following remarks.

Drawings

The objection to the drawings is noted and is corrected in accordance with the drawing change submitted herewith.

Applicants have provided a replacement drawing sheet, including Figs. 3A and 3B, for the corresponding previously submitted drawing sheet. The replacement sheet amends Figs. 3A and 3B by inserting text labels for the figure elements.

Claim Objection

Claim 1 was objected to for a minor informality.

Claim 1 has been amended as suggested by Examiner. Accordingly Applicant requests that the objection to claim 1 be withdrawn.

Abstract

The Abstract was objected to as merely interpreting the scope or meaning of the claims.

Applicant has deleted the Abstract and provided a new Abstract. The new Abstract is believed to be in compliance with all formality requirements. Accordingly, Applicant requests that the objection to the Abstract be withdrawn.

§103 Rejections

Claims 1-6, 8 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sprout et al. (US Patent No. 6,409,599) in view of Spagna et al. (US Patent No. 6,587,837).

Claims 7 and 10-14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sprout in view of Spagna and further in view of Reimer et al. (US Patent No. 6,065,042).

Applicant submits that the independent claims (claims 1 and 9-14) are patentable over Sprout, Spagna and Reimer.

Applicant's invention as recited in the independent claims is directed toward a system and method for providing information to an audience member and collecting information from the audience member, and an information providing method for providing information to an audience member. Each of the claims recites that "[a] terminal is mounted to a seat such that said audience member can alternatively view said terminal and [a] performance by merely shifting his/her eyes and without having to reposition said terminal."

Neither Sprout, Spagna nor Reimer discloses a terminal mounted to a seat such that an audience member can alternatively view the terminal and a performance by merely shifting his/her eyes and without having to reposition the terminal. In this regard, Applicant notes that Sprout discloses using a head mounted display (see e.g. Sprout col. 6, lines 49-64; and Fig. 3), and thus teaches away from using a seat mounted display. Therefore, Sprout can not realize the advantage of allowing an audience member to alternatively view the display and a performance by merely shifting his/her eyes. Accordingly, Applicant believes that claims 1 and 9-14 are patentable over Sprout, Spagna and Reimer – taken either alone or in combination – on at least this basis.

Claims 2-8 depend on claim 1. Since claim 1 is believed to be patentable over the cited references, claims 2-8 are believed to be patentable over the cited references on the basis of their dependency on claim 1.

Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather,

these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

Statements appearing above with respect to the disclosures in the cited references represent the present opinions of the Applicant's undersigned attorney and, in the event that the Examiner disagrees with any such opinions, it is respectfully requested that the Examiner specifically indicate those portions of the respective reference providing the basis for a contrary view.

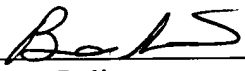
If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:



Bruno Polito
Reg. No. 38,580
(212) 588-0800

REPLACEMENT SHEET

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FIG. 3A

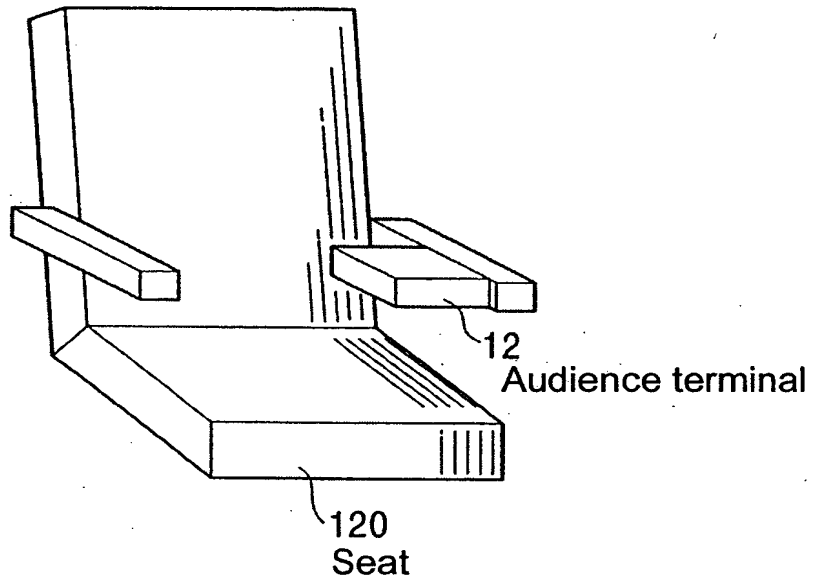


FIG. 3B

